

Introduced by Senator Mendoza

February 27, 2015

An act to add Division 45 (commencing with Section 75500) to the Public Resources Code, relating to climate change.

LEGISLATIVE COUNSEL'S DIGEST

SB 760, as introduced, Mendoza. Disadvantaged Community Enhancement Act of 2015.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.

Existing law establishes the Strategic Growth Council consisting of specified members and requires the council to, among other things, develop and administer the Affordable Housing and Sustainable Communities Program to reduce greenhouse gas emissions through projects that implement land use, housing, transportation, and agricultural land preservation practices to support infill and compact development and that support other related and coordinated public policy objectives.

This bill would require the council to develop and implement the Disadvantaged Community Enhancement Program to award grants to disadvantaged communities, as defined, to facilitate projects for community enhancement improvements that reduce greenhouse gas

emissions in furtherance of the goals of the California Global Warming Solutions Act of 2006 and that provide to disadvantaged communities multiple environmental benefits. The bill would authorize the council, upon appropriation by the Legislature, to expend moneys in the fund to implement the program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Division 45 (commencing with Section 75500)
2 is added to the Public Resources Code, to read:

3
4 DIVISION 45. DISADVANTAGED COMMUNITY
5 ENHANCEMENT
6

7 PART 1. GENERAL PROVISIONS AND DEFINITIONS
8

9 75500. This division shall be known, and may be cited as, the
10 Disadvantaged Community Enhancement Act of 2015.

11 75501. It is the intent of the Legislature, in enacting this
12 division, to provide additional funding opportunities to address
13 infrastructure challenges in California's most disadvantaged
14 communities and promote projects that provide for cobenefits that
15 address physical blight and decencies while addressing climate
16 change.

17 75502. For purposes of this division, the following terms mean
18 the following:

19 (a) "Council" means the Strategic Growth Council established
20 pursuant to Section 75121.

21 (b) "Disadvantaged community" means a community identified
22 as a disadvantaged community pursuant to Section 39711 of the
23 Health and Safety Code.

24 (c) "Program" means the Disadvantaged Community
25 Enhancement Program established pursuant to Section 75510.

PART 2. DISADVANTAGED COMMUNITY ENHANCEMENT
PROGRAM

75510. The council shall develop and implement the Disadvantaged Community Enhancement Program to award grants to disadvantaged communities to facilitate projects for community enhancement improvements that reduce greenhouse gas emissions in furtherance of the goals of the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code) and that provide to disadvantaged communities multiple environmental benefits.

75511. Eligible community enhancement improvements include, but are not limited to, any of the following:

- (a) Water quality improvement.
- (b) Groundwater, storage, recharge, or remediation.
- (c) Storm water capture.
- (d) Urban greening projects including urban forestry and landscaping.
- (e) Park development and land protection for passive or active recreation.
- (f) Hardscape conversions.
- (g) Nonmotorized trail and other active transportation projects.
- (h) Heat island mitigation.
- (i) Planning of a sustainable community.

75512. The council shall award grants to applicants through a competitive process. In prioritizing the award, the council shall consider all of the following factors of the community benefiting from the award:

- (a) The poverty rate.
- (b) The unemployment rate.
- (c) The childhood obesity rate and incidents of asthma.
- (d) The availability of greenspace and venues for physical activity.
- (e) The lack of nonmotorized infrastructure.
- (f) The levels of air pollution.
- (g) The drinking water quality.
- (h) The groundwater quality, if applicable.

75513. (a) To receive a grant for a project pursuant to the program, a disadvantaged community shall submit an application,

1 as prescribed by the council, that contains information regarding
2 the factors described in Section 75512.

3 (b) In addition to subdivision (a), the applicant shall also include
4 in the application the following information:

5 (1) A clear articulation on how the grant would be used to
6 address the factors described in Section 75512.

7 (2) The leveraging of other sources of funds to facilitate and
8 maximize the benefits from the proposed community enhancement
9 improvements.

10 (3) A demonstration on how the community enhancement
11 improvements would assist the state in meeting the greenhouse
12 gas emissions reduction goals established pursuant to the California
13 Global Warming Solutions Act of 2006 (Division 25.5
14 (commencing with Section 38500) of the Health and Safety Code.
15 75514. Awards made pursuant to this division shall not supplant
16 other sources of funding designed to benefit disadvantaged
17 communities.

18
19 PART 3. FISCAL PROVISION
20

21 75520. The council may, upon appropriation by the Legislature,
22 expend moneys from the Greenhouse Gas Reduction Fund
23 established pursuant to Section 16428.8 of the Government Code
24 to implement the program.